

Notice of Allowability

Application No.

10/791,308

Applicant(s)

GRAVES ET AL.

Examiner

Greg F. Cunningham

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 12/05/2006.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s).

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This action is responsive to amendment filed 12/05/2006.
2. The disposition of the claims is as follows: claims 1-29 are pending in the application. Claims 1, 12, 17, 18, 20-22, 27 and 29 are independent claims. Claims 22-29 are newly added.

Drawings

3. In view of the amended drawings, objections are withdrawn.

Specification and Claim Objections

4. In view of amended specification and claim 10, objections are withdrawn.

Claim Rejections - 35 USC § 112

5. In view of amended claims and applicant(s) remarks, 112 rejections are withdrawn.

Claim Rejections - 35 USC § 103

6. In view of amended claims, and review of remarks and cited references, 103 rejections are withdrawn.

Election/Restrictions

7. Newly submitted claims 22-29 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

“a given file type having at least two channels (components) of image data” is not supported by the original specification or claims which describe a minimum of three;

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“given file type plus an additional channel (component)”, only with respect to alpha (transparency) component.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 22-29 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Examiner's Amendment

8. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

A. Claims 22-29 are cancelled per the restriction by original presentation.

Authorization for the examiner's amendment below was given in a telephone interview with Mani Adeli, (Reg. No.: 39,585) on 2/16/2007.

The application has been amended as follows:

B. Amend claim 17, line one and two from:

“A computer readable medium having a set of computer instructions, said computer instructions comprising sets of instructions for:”

To now read as:

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“A computer readable medium storing a computer program, said computer program comprising sets of instructions for:”

C. Amend claim 18, line one and two from:

“A computer readable medium having a set of computer instructions, said computer instructions comprising sets of instructions for:”

To now read as:

“A computer readable medium storing a computer program, said computer program comprising sets of instructions for:”

Allowable Subject Matter

9. Claims 1-21 are allowed.

10. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claims 1, 12, 17, 18, 20-22, 27 and 29 stand novel over the related prior art. For instance, while the related art of Perlman et al. (US 6,424,342 B1), does make use of mapping, decompressing, and compositing graphical image in preparation for displaying an image on a display screen. Graphical image data is received by a graphics engine, which maps portions of the data to pixel positions on the display screen.

However the applicant's independent claims 1, 12, 17, 18, 20-22, 27 and 29 provide, inter alia,

defining a new pixel type for the purpose of processing images of a given file type, whereby the given file type has a plurality of channels (components) of image data, wherein the

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defined new pixel type comprises corresponding channels (components) for each channel (component) of the said given file type;

converting an image stored in a given file type into data formatted in said new pixel type;

processing the new pixel type data using image processing routines designed for a color space different from the color space of said given file type and said new pixel type.

Wherein, different from the color space of said given file type, according to the context of the specification is stated as, "Conventionally, the compressed image was decompressed and transformed from YCrCb into a color space such as RGB, and then back into YCrCb in order to be stored back onto disk in the original file format. As mentioned earlier, such conversion led to loss of much original image information. The invention, in various embodiments, defines a new pixel format that can be used while such image processing routines are performed, while not converting to an entirely different color space. The pixel format has the following properties: 1) an order of Alpha, Y, Cb and then Cr; 2) a modified Y channel that is 16 less than the original Y; and 3) an extended Alpha channel that ranges from 0 to 255."

Therefore as claimed by the combined elements of amended independent claim 1, 12, 17, 18, 20-22, 27 and 29, the cited references and prior art of record lack separately and in combination the elements of amended claims.

Claims 2-11, 13-16 and 19 depend from allowable independent claims 1, 12 and 17, respectively, and therefore are also allowed.

11. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Responses

12. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Inquiries

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory F. Cunningham whose telephone number is (571) 272-7784.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Cunningham

Examiner, Art Unit 2624



**MATTHEW C. BELLA
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2/16/20071